

REMARKS

In the Office Action mailed October 20, 2006, the Examiner noted that claims 1-23 were pending and rejected claims 1-23. Claims 1, 5, 9, 14, 17 and 22 have been amended, no claims have been canceled, new claim 24 has been added and, thus, in view of the forgoing claims 1-24 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

REJECTIONS under 35 U.S.C. § 112

Claims 9 and 17 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 9 and 17 have been amended to conform with the requirements of 35 U.S.C. § 112.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C § 102

Claims 1-23 stand rejected under 35 U.S.C § 102(b) as being anticipated by Goldhaber, U.S. Patent No. 5,794,210. Goldhaber is directed to a brokerage for paying consumer for viewing an advertiser's advertisement. In contrast, the present claims are directed to judging level of response for a user having viewed an advertisement and compensating the user in proportion to the response. Claim 1 has been amended to recite "judging a level of contribution, of a questionnaire response, to said advertiser, the level of contribution having plurality of values; and determining a reward amount for each questionnaire response in proportion to the level of contribution." Support for the amendment found on page 29 line 8 through page 32 line 7. On pages 3 and 4 of the final Office Action, the Examiner states:

The reward in the prior art is **one of two amounts** that can be determined. The person can either earn the entire reward amount or no reward amount. [Emphasis added]

As the Examiner states that reward amount has only two values, then the reward amount is not "in proportion to the level of contribution," as in claim 1 where the level of contribution is a plurality of values.

Independent claims 14 and 22 have been amended in a manner similar to claim 1.

Therefore, claims 1, 14 and 22 and the claims dependent therefrom are patentably distinguishable from Goldhaber.

As to dependent claim 9, Goldhaber column 11, lines 32-43; column 17, lines 33-63; and column 23 lines 1-3 does not disclose "wherein the level of contribution is calculated by using

parameters corresponding to importance, credibility and novelty of the questionnaire response.”

The Examiner states:

Goldhaber verifies the credibility of the response by checking to see if it is completed and whether the account is “bad” or not.

Goldhaber does not disclose the importance of a question or its novelty. Further, Goldhaber, column 17 lines 42-43 simply check whether the account is “bad”, which is checking the credibility of the account, not the credibility of the response.

Withdrawal of the rejections is respectfully requested.

NEW CLAIM

Claim 24 is new. Support for claim 24 found in the application at page 2 line 10 through page 3 line 1 and page 28 line 26 through page 29 line 14. The prior art failing to disclose “determining from a contribution level a consumer makes when answering a survey about a product in response to the consumer viewing an advertisement for the product; and paying a reward in proportion to the contribution level determined for each survey which the consumer answers.”

SUMMARY

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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